

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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: IN RE: WORLD TRADE CENTER LOWER :  
: MANHATTAN DISASTER SITE LITIGATION :  
: :  
-----X

21 MC 102 (AKH)

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

THIS DOCUMENT APPLIES TO ALL CASES :  
: IN THE WORLD TRADE CENTER LOWER :  
: MANHATTAN DISASTER SITE LITIGATION :  
: IN WHICH BELFOR USA GROUP, INC. IS :  
: A DEFENDANT :  
-----X

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York and upon the annexed Affidavit of Thomas R. Harrington, Esquire, dated August 15, 2007, and the Affirmation of James F. Desmond, Jr., Esquire, dated August 15, 2007, I, James F. Desmond, Jr., a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Thomas R. Harrington, Esq.  
Cozen O'Connor  
1900 Market Street  
Philadelphia, Pennsylvania 19103  
(215) 665-2706, fax (215) 665-2013

Dated: New York, New York  
August 15, 2007

COZEN O'CONNOR

BY:



JAMES F. DESMOND, JR., ESQ. (JD-8941)  
Attorneys for Defendant  
Belfor USA Group, Inc.  
45 Broadway Atrium, 16<sup>th</sup> Floor  
New York, New York 10006  
(212) 509-9400

AUG 27 2007

925- J.C. 6253746

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SOUTHERN DISTRICT OF NEW YORK

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IN RE: WORLD TRADE CENTER LOWER	:	21 MC 102 (AKH)
MANHATTAN DISASTER SITE LITIGATION	:	
	:	
-----X	:	<b>AFFIDAVIT OF</b>
	:	<b>THOMAS R. HARRINGTON,</b>
	:	<b>ESQ.</b>
	:	
THIS DOCUMENT APPLIES TO ALL CASES	:	
IN THE WORLD TRADE CENTER LOWER	:	
MANHATTAN DISASTER SITE LITIGATION	:	
IN WHICH BELFOR USA GROUP, INC. IS A	:	
DEFENDANT	:	
-----X	:	

I, Thomas R. Harrington, Esquire, being duly sworn, depose and say:

1. I am a resident of the Commonwealth of Pennsylvania, I am a practicing attorney in Philadelphia, Pennsylvania, and a member of the law firm Cozen O'Connor located at 1900 Market Street, Philadelphia, Pennsylvania.

2. I am duly licensed and admitted to practice law in the Commonwealth of Pennsylvania with Attorney No. 11724. I am a member in good standing of the Bar of the Commonwealth of Pennsylvania. A copy of my current Certificate of Good Standing is annexed hereto as **Exhibit A**.

3. I am also admitted to practice in the United States District Court for the Eastern District of Pennsylvania, United States District Court for the Middle District of Pennsylvania, and United States Court of Appeals for the Third Circuit.

4. There are no disciplinary proceedings or criminal charges instituted against me in the Commonwealth of Pennsylvania or any other jurisdiction, nor has there ever been.

5. An established attorney-client relationship exists between the Defendants and myself, and my clients have requested that I represent their interests in this matter.

6. The nature of this action involves complex legal and factual issues pertaining to property damage and personal injury litigation, and I have handled these types of cases in the past and have developed an expertise in these matters.

7. If the Court shall allow my motion to appear *pro hac vice* in the above-captioned case, I will continue to represent my clients in this proceeding until the final determination hereof and with reference to all matters, incidents, or proceedings.

8. I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court and the Bar of the State of New York in all respects as if I were regularly admitted and a licensed member.

9. I work with James F. Desmond, Jr., Esquire, an attorney who is duly and legally admitted to practice law in the State of New York and before the United States District Court for the Southern District.

Dated: Philadelphia, Pennsylvania  
August 15, 2007

  
Thomas R. Harrington, Esq.

Sworn to and subscribed  
before me this 15<sup>th</sup> day  
of August, 2007.





Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Thomas R. Harrington, Esq.***

**DATE OF ADMISSION**

***November 19, 1968***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: July 30, 2007**

  
Patricia A. Johnson  
Chief Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
IN RE: WORLD TRADE CENTER LOWER	:	21 MC 102 (AKH)
MANHATTAN DISASTER SITE LITIGATION	:	
-----X	:	<b>AFFIRMATION OF</b>
	:	<b>COUNSEL <i>PRO HAC VICE</i></b>
THIS DOCUMENT APPLIES TO ALL CASES	:	
IN THE WORLD TRADE CENTER LOWER	:	
MANHATTAN DISASTER SITE LITIGATION	:	
IN WHICH BELFOR USA GROUP, INC. IS A	:	
DEFENDANT	:	
-----X	:	

I, James F. Desmond, Jr., Esquire, being duly sworn, depose and say:

1. I am an attorney duly licensed to practice law in the State of New York and am an associate of the law firm Cozen O'Connor, attorneys for Defendant Belfor USA Group, Inc. in the above-captioned case.

2. I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affirmation in support of Defendant's motion to have Thomas R. Harrington, Esquire admitted to appear and act as counsel, *pro hac vice*, with respect to the above-captioned case.

3. I have known Thomas R. Harrington, Esquire to be an excellent attorney who has experience with respect to the issues being presented in the present lawsuit and is a member in good standing of the Bar of the Commonwealth of Pennsylvania, the United States District Court for the Eastern District of Pennsylvania, United States District Court for the Middle District of Pennsylvania, and the United States Court of Appeals for the Third Circuit.

4. I respectfully request that Thomas R. Harrington, Esquire be admitted *pro hac vice* in the above-captioned case to serve as counsel with respect to the subject cases.

**WHEREFORE**, James F. Desmond, Jr., Esquire, respectfully requests that the Court grant an Order allowing the admission, *pro hac vice*, of Thomas R. Harrington, Esquire to the United States District Court for the Southern District of New York to practice with respect to the above-captioned action, together with such other and further relief as the Court may deem just and proper.

DATED: New York, New York  
August 15, 2007

A handwritten signature in black ink, appearing to read 'James F. Desmond, Jr.', is written over a horizontal line. The signature is stylized with large, flowing loops.

JAMES F. DESMOND, JR. (JD-8941)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
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IN RE: WORLD TRADE CENTER LOWER	:	21 MC 102 (AKH)
MANHATTAN DISASTER SITE LITIGATION	:	
	:	<b>ORDER</b>
-----X	:	
	:	Hon. Alvin K. Hellerstein
THIS DOCUMENT APPLIES TO ALL CASES	:	
IN THE WORLD TRADE CENTER LOWER	:	
MANHATTAN DISASTER SITE LITIGATION	:	
IN WHICH BELFOR USA GROUP, INC. IS A	:	
DEFENDANT	:	
-----X	:	

**THIS MATTER** comes before me upon motion of the Defendant Belfor USA Group, Inc. to permit Thomas R. Harrington, Esquire, a member in good standing of the Bar of the Commonwealth of Pennsylvania, the United States District Courts for the Eastern and Middle Districts of Pennsylvania, and the Third Circuit, to appear and conduct proceedings in the above-entitled case *pro hac vice*.

SAID MOTION, having duly come to be heard before this court on the \_\_\_\_ day of \_\_\_\_\_, 2007, at the United States District Court for the Southern District of New York, and, at the aforesaid time and place, the Defendants having duly appeared by and through their counsel, Cozen O'Connor, in support of said Motion, and there being no opposition to the aforesaid Motion, and the parties having agreed and consented to an Order in the case,

NOW, upon the Motion to Admit Counsel *Pro Hac Vice* dated August 15, 2007, the Affidavit of Thomas R. Harrington, Esquire, sworn to on August 15, 2007, the Affirmation of James F. Desmond, Jr., Esquire dated August 15, 2007, and upon all the pleadings and proceedings heretofore had herein and due deliberation having been and hereon, it is hereby,

ORDERED that the Defendant's motion to have Thomas R. Harrington, Esquire admitted to practice law in the United States District Court for the Southern District of New York *pro hac vice* in connection with the above-captioned case is GRANTED. Counsel is directed to immediately apply for an ECF password at [www.nysd.uscourts.gov](http://www.nysd.uscourts.gov) and shall forward the *pro hac vice* fee to the Clerk of the Court.

DATED: \_\_\_\_\_

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U.S.D.J.



**CERTIFICATE OF SERVICE**

I, James F. Desmond, Jr., hereby certify that I caused true copies of the foregoing to be served via regular mail on the 24<sup>th</sup> day of August, 2007 upon the following Plaintiff's Liaison Counsel:

Paul Napoli, Esq.  
Worby Groner Edelman & Napoli Bern LLP  
115 Broadway, 12<sup>th</sup> Floor  
New York, NY 10006

Robert A. Grochow, Esq.  
Robert A. Grochow, P.C.  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279

Gregory J. Cannata, Esq.  
Law Offices of Gregory J. Cannata  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279

and caused true copies of the same to be electronically mailed via the internet to all defense counsel, including the following Defendants' Liaison Counsel:

James E. Tyrell, Esq.  
Joseph Hopkins, Esq.  
Patton Boggs LLP  
1 Riverfront Plaza, 6<sup>th</sup> Floor  
Newark, New Jersey 07102

Thomas Egan, Esq.  
Fleming Zulack Williamson Zauderer LLP  
One Liberty Plaza  
New York, New York 10006

  
James F. Desmond, Jr. (JD-8941)